

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

SIDNEY MARKER,

Defendant.

8:21CR78

ORDER

This matter is before the court on the defendant, Sidney Marker's Motion to Continue Trial [137]. The defendant seeks additional time as plea negotiations are in process to resolve the case short of trial. On May 17, 2022, the court held a hearing on defendant, Carney Turner's motion to continue [124] during which the defendant orally moved to continue. Both motions were withdrawn but the court heard argument from the government in opposition to a continuance. Defendant, Carney Turner is scheduled for a change of plea hearing on May 25, 2022. After consideration of the record, the undersigned magistrate judge finds good cause for the requested continuance. Accordingly,

IT IS ORDERED that the Motion to Continue Trial [137] is granted, as follows:

1. The jury trial, now set for May 31, 2022 is continued to **July 18, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and July 18, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. A party may object to this order by filing an "Objection to Magistrate Judge's Order" no later than **May 26, 2021**. The objecting party must comply with all requirements of NECrimR 59.2.

DATED: May 23, 2022.

BY THE COURT:
s/ Michael D. Nelson
United States Magistrate Judge